

COUNTY OF HENRY
Zoning Ordinance

REZONING
Application Process

Effective: September 1, 1989

COUNTY OF HENRY

REZONING APPLICATION PROCESS

A. Preapplication

The person who is interested in having the zoning classification of a particular parcel of property changed to another classification will first consult with the Department of Planning and Community Development to discuss his request. The staff will explain applicable provisions of the Zoning Ordinance and provide information, technical assistance, and copies of all application forms. An application for rezoning may be filed by the owner, tenant, or contract purchaser of the property. If filed by a tenant or contract purchaser, evidence of concurrence by the owner must be provided. The applicant should also discuss his proposal with neighboring property owners.

B. Application Submittal

The applicant must submit a completed application package consisting of the five items listed below to the Department of Planning and Community Development. Incomplete packets will not be processed.

1. **Application for Rezoning**, typed or printed in ink, with all information completed, and signed by the applicant and owner, if different. An important part of the application is a listing of the name and complete address of all owners of property adjacent to and across the road from the parcel on which the rezoning is requested. This information will be completed by County staff.
2. **Concept Plan**. See instructions for Concept Plan preparation included in Rezoning Application package.
3. **Letter of Application** stating the proposed change in zoning and use of the property, the effect this change will have on the surrounding area, and the reason for the request.
4. **Proffers**, staff will work with the applicant to ensure that all voluntarily proffered conditions offered by the applicant are in writing, signed by the owner of the property and meet the following standards:
 - a. The rezoning itself must give rise for the need for the conditions.
 - b. The conditions shall have a reasonable relation to the rezoning.
 - c. The conditions shall be in conformity with the comprehensive plan.
 - d. The conditions must be clearly understood and enforceable.
 - e. The conditions must not require or allow a design or standard that is less restrictive than the general provisions of this ordinance.

Rezoning Application Process

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5. **Payment of Advertising Costs:** \$120.00 to cover required newspaper advertising, notification sign, and the cost of notification of adjoining property owners.

In order to meet the legal requirements for advertising, a schedule will be provided to the applicant showing the deadline by which completed applications must be filed.

C. Public Notice

Public hearings will be conducted on the application by the Planning Commission and the Board of Supervisors. The staff will take the following actions to notify interested persons about the request and the public hearings: (State Code 15.2-2204)

1. Send to the local newspaper notices of the two public hearings, each of which will be published once a week for two consecutive weeks.
2. Notify each of the adjacent property owners by first class mail.
3. Post at least one notification sign on the property requested to be rezoned (the number of signs needed will be determined by the staff based on size and location of the property.)

D. Review Process

The Zoning Administrator will visit the proposed site to examine the following: the surrounding land uses, existing environmental constraints (i.e., vegetation, slope, soils and floodplain), access and traffic flow, and the surrounding architecture.

The staff will prepare a report on the request addressing its conformity with the County Comprehensive Plan and the purpose and intent of the Zoning Ordinance. The application, staff report, and staff recommendation will be forwarded to the Planning Commission.

The Planning Commission will conduct a public hearing on the request at the date and time advertised in the public notice. The applicant must attend the public hearing and/or have an agent present if he desires to do so. All interested persons will be given an opportunity to comment on the application.

At the conclusion of the public hearing, the Planning Commission will formulate a recommendation on the request for consideration by the Board of Supervisors.

The Board of Supervisors will conduct a public hearing on the request at the date and time advertised in the public notice. The applicant is required to attend the public hearing and/or have an agent present if desired. All interested parties will have an opportunity to comment on the request.

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The Board of Supervisors may vote to approve or deny the request. If the rezoning is approved, the Zoning Administrator will make the change on the official zoning map covering the area involved and notify effected individuals and departments of accepted proffers.

***FOR FURTHER INFORMATION OR ASSISTANCE,
PLEASE CONTACT THE COUNTY PLANNING
STAFF AT:***

*Department of Planning, Zoning & Inspection
County Administration Bldg., King's Mountain Rd.
P. O. Box 7, Collinsville, VA 24078
(276) 634-4620*

COUNTY OF HENRY
APPLICATION FOR REZONING

*Part 1 – To be completed by Applicant
Please type or print in ink the following information*

Applicant's Name _____ Telephone: _____

Applicant's Address: _____

Location of Property:

Real Estate Map and Parcel Number _____ Size of Property: _____ acres/sq.ft

Existing Land Use:

Proposed Land Use:

Existing Zoning: _____ Proposed Zoning: _____

To be completed by County:

The Henry County Planning Department will list below the name and complete address (including the zip code) of the owner of all property adjacent to or directly across a road from the property for which the rezoning is requested.

Name: _____

Address: _____

Real Estate Map and Parcel Number _____ Zoning: _____

Name: _____

Address: _____

Real Estate Map and Parcel Number _____ Zoning: _____

Name: _____

Address: _____

Real Estate Map and Parcel Number _____ Zoning: _____

Application for Rezoning

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I hereby apply for a change in the zoning classification of the property described herein subject to all County and State laws, ordinances, rules and regulations. I authorize appropriate County officials to enter upon the above-described property during normal business hours to conduct required inspections and post signs. I hereby certify, under penalties of perjury, that the above information is true, complete, and correct. I also understand that I or a representative must attend both the Planning Commission and Board of Supervisors public hearings.

Signature of Applicant

Owner's consent if different from applicant:

Signature of Owner

Part 2 – To be completed by County

Rezoning Number: _____ Date Completed Application Received _____

Date Planning Commission Public Hearing: _____ Dates of Advertisements _____

Date Board of Supervisors Public Hearing: _____ Dates of Advertisements _____

I certify that, on _____, each of the property owners adjacent to and across the road from applicant's property were sent by first class mail a notification of the public hearings.

Signature of Staff

Recommendation by Planning Commission: _____

Action by Henry County Board of Supervisors

Date: _____

Approved ☐

Denied ☐

Clerk, Board of Supervisors

COUNTY OF HENRY

CONCEPT PLAN INSTRUCTIONS

The Henry County Zoning Ordinance requires that a concept plan be submitted with each application for rezoning, special use permit, or variance. The purpose of the concept plan is to depict graphically the concept or reasons for the requested exception to the provisions of the Zoning Ordinance.

The plan should describe the proposed use or development in the level of detail appropriate to the proposed project. During Step 1 of the application process, the County staff in the Department of Planning and Community Development will inform the applicant which of the optional items listed below should be included in his Concept Plan. The Plan does not have to be prepared by a professional site planner, but it should be printed in ink and clearly legible on size no larger than 11" x 17" paper. The applicant should date and sign the Plan, and the name of the preparer (if different from the applicant) should be listed.

Information required for all Concept Plans:

- ☒ Project title
- ☒ Name of applicant and project designer (if applicable)
- ☒ Date of preparation
- ☒ North arrow and graphic scale
- ☒ Lot size in acres or square feet and dimensions
- ☒ Adjacent streets, alleys, railroads, water bodies, etc.

Information required for some Concept Plans:

- ☐ Locations, dimensions, and heights of all structures
- ☐ Number, type, size and gross density of all units
- ☐ Location, size, and type of recreational amenities
- ☐ Location and dimensions of driveways, off-street parking spaces, and loading facilities
- ☐ Location and description of screening and buffering along the lot perimeter
- ☐ Type, area, height, and placement on site of all signs
- ☐ Building elevations or renderings
- ☐ Description of landscape improvements
- ☐ Other _____
